

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9542 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?  
1 to 5 No

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WAGHELA KANTIBHAI CHHANABHAI

Versus

AMC

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Appearance:

MR VB GHARANIYA for Petitioner  
Mr.M.R.Anand, senior counsel with Mr.  
D.C.Raval, learned counsel, for the respondent-Ahmedabad  
Municipal-Corporation.

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CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 18/01/97

ORAL JUDGMENT :

Rule. Mr. Anand waives service of Rule on behalf of respondent.

It has been stated by Mr. Anand, learned counsel for the respondent, that the petitioner has already been selected for the post of Mukadam at Sr.No.104 in the

select list, which the petitioner has impugned in this Special Civil Application. It has been further submitted that candidates upto Sr.No.92 have already been appointed as Mukadams and the appropriate orders shall also be issued in favour of the petitioner on his turn with reference to Sr.No.104 in the same select list. In this view of the matter, Mr. Gharania does not challenge this select list at the instance of the present petitioner but he has submitted that the Ahmedabad Municipal Corporation has not given the due relief to which the petitioner was entitled under the order passed by this court in Special Civil Application No.3619/94. Mr. Anand has submitted that if anything is found to be due in favour of the petitioner on the basis of the order passed by this court in Special Civil Application No.3619/94 dated 11.10.94, the Ahmedabad Municipal Corporation shall also grant such due relief to the petitioner to which he may be found to be entitled after hearing him on the representation, which the petitioner may make on the basis of the decision which he claims to be in his favour. Should the petitioner make any such representation within a period of one month from today, the same shall be decided by the Ahmedabad Municipal Corporation within another period of one month from the date of the receipt of the representation and such order shall also be conveyed to the petitioner immediately.

This Special Civil Application is decided accordingly and the Rule is made absolute in the terms as aforesaid with no order as to costs.